

REMARKS/ARGUMENTS

Status of the Claims

Claims 2-4, and 22 are under examination and stand rejected. Claims 2, 3, 4, and 22 are amended. Claims 23 and 24 are new. Support for the new claims is found in claims 4 and 22. No new matter is added by the amendments. Reconsideration is respectfully requested.

Written Description and Enablement

Claims 2-4 are rejected for lack of written description and enablement. Claims 2 and 3 are amended to delete step 2(b). Thus, the amendments should render the rejections moot. Withdrawal of the rejection is respectfully requested.

Novelty

Claims 2, 4, and 22 are rejected as allegedly anticipated by WO01/55335 (of record). The Examiner asserts that the cited reference teaches a method of detecting the protein of SEQ ID NO:37, which is 100% identical to SEQ ID NO:6 of the instant application, the method comprising contacting a blood cell sample with an antibody that binds to the protein and detecting binding of the antibody. The Examiner concludes that the method would inherently detect monocytes. The rejections are respectfully traversed for the following reasons.

As an initial matter, claim 2 is amended to add new step (3) directed to identifying the blood cell as a monocyte. WO01/55335 does not disclose or suggest that blood cells that bind to an antibody that binds to the protein of SEQ ID NO:37 are monocytes. Thus, the reference does not disclose every element of claim 2, and therefore the claims are not anticipated by the cited reference. Withdrawal of the rejection is respectfully requested.

Appl. No. 10/587,841
Amdt. dated July 21, 2011
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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